PROCEEDINGS

At the Seſſion of OYER and TERMINER, and GENERAL GOAL DELIVERY for the

COUNTY of SURRY,

HELD AT

KINGSTON upon THAMES,

In and for the ſaid COUNTY,

On TUESDAY the 31ſt of MARCH, WEDNESDAY the 1ſt, THURSDAY the 2d, and FRIDAY the 3d of APRIL,

In the 26th Year of his MAJESTY's Reign,

BEFORE

The Honourable Sir MARTIN WRIGHT, and the Honourable Sir MICHAEL FOSTER, Knts.

BEING THE

Firſt Aſſizes in the SHERIFFWICK of

EDWARD SAUNDERSON, Eſq;

HIGH SHERIFF for the ſaid COUNTY.

By PERMISSION.

LONDON:

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The Proceedings at the Seſſions of Oyer and Terminer, and General Goal Delivery for the County of Surry.

BEFORE the Honourable Sir WILLIAM WRIGHT, and the Hon. Sir RICHARD FORTES, Knights.

Thomas Tiſſley,	*John Goddard,*
George Willis,	*Matthew Cockman,*
John Brookes,	*James Dobbin,*
John Walter,	*John Hartley,*
John Woodbatch,	*Thomas Nicholls,*
John Hitchin,	*Henry Smith.*

ROBERT DERBY, indicted for that he on the 20th day of July, in the 25th year of his majeſty's reign, near Blackwater, in the county of Surry, the [illegible] Othen, felonioufly did make an aſſault and put him in bodily fear of his life, and did take from him one gelding of the value of 5 *l.* and one leathern mail of the value of 20 *s.* and twenty bags of the value of 20 *s.* the goods of our ſovereign lord the king.

George Otten, ſworn.

Q. You are the poſt-boy?

A. Yes, my lord.

Q. At the time of the mail being robb'd?

A. Yes.

Q. What time was this done, and what day?

A. On the 20th of July.

Q. Whereabouts was this fact done?

A. On Blackwater heath.

Q. What time of the night?

A. Between one and two o'clock.

Q. Had you the mail with you at that time?

A. Yes.

Q. In what manner was you attacked?

A. A ſingle gentleman overtook me and bid me ſtop; I was unwilling to ſtop, whereupon he bid me a ſecond time, and then he ſaid I muſt alight off my horſe; I got off, and he put two ſhillings into my hand to drink his health, and deſired he would leave your horſe, and a gentleman coming behind would ſatisfy me for my horſe. I held my horſe faſt by the bridle, and did not care to part with it; he then held up a piſtol to me, and ſaid, it did not ſignify making of any words, for he muſt have my horſe. He then took the horſe from me and led it on, and then he took the mail off the horſe; I was then about four hundred yards from him, and ſaw him take the mail off, and the bags out of the mail, and when he had taken the bags out of the mail, rode away as faſt as poſſible.

Q. What was the dreſs of this perſon you ſpeak of?

A. This gentleman had on a brown furtout coat, the collar turned up round his face; I could not diſtinguiſh his face, nor do I remember any thing of his dreſs, and could not tell whether he had a wig on or wore his own hair.

Q. Look at the priſoner at the bar; as far as your judgment and memory will admit, was the perſon like him?

A. As near as I can remember, he was about his ſtature.

Q. Did you find your horſe again?

A. After he had paſſed me, I paſſed on the road and found my horſe again and the mail which had been robbed, which I put on, and went on to Bagſhot.

Q. With regard to the horſe this man was on, do you remember any thing of the horſe?

A. I took the horſe to be a brown colour'd horſe. I ſaw the horſe yeſterday in the ſtables at the Caſtle, in this town, and the horſe was near about the ſize, as near as I can gueſs.

Q. What ſort of hat had the perſon on who attacked you?

A. A plain hat.

John Masters, ſworn.

Q. Mr. Masters, where do you live, and in what buſineſs?

A. At Hartford bridge, and am deputy poſt-maſter there, and on all occaſions furniſh the poſt-boys with horſes.

Q. You remember this robbing the mail, and whoſe horſe was the poſt-boy on at that time?

A. I remember it very well, and the poſt-boy was then on a horſe of mine, it was a brown gelding which had on a pretty large ſaddle, and by name to which I gave him an ſtance, which is paſt the place where the robbery was committed, and Othen was then upon it; he ſet off from Hartford bridge about twelve o'clock at night.

Q. How far is Blackwater from Hartford-bridge?

A. About five miles; and it was about two miles beyond where the robbery was committed.

Mr. Potts, ſworn.

Q. Mr. Potts, I think you belong to the poſt-office, what is your ſtation there? *A.*

A. I am a constable.

Q. Do you know any thing as to the Western mail, and the bags belonging to that mail?

A. Yes, my lord.

The bags were then produced in court.

Q. Did those bags belong to that time to the Western mail?

A. Yes, those bags belong to the Western mail, as their property of the king, they are the king's goods.

Q. How many of those do they usually have in the mail.

A. About four or five and thirty.

Mr. Baker, sworn.

Q. Where do you live?

A. At London, and am assistant clerk to the Western road.

Q. How many of the bags should have come home from the Western road, that morning the post was robbed, if he had not been robbed?

A. I have taken particular memorandums of them, but cannot ascertain charge my memory with them; but I believe they must have been above forty; and I saw the mail come in that morning, and there was wanting about six and thirty bags.

Cross Examination.

Q. Mr. Poste, what do you think the value of them to be?

A. The value of them is above fifty shillings.

Richard Stanford, sworn.

Q. Mr. Stanford, where do you live?

A. I live at the Ship and Anchor at Weybridge, and the prisoner at the bar lived at Shepperton, about a mile distant.

Q. Do you remember any thing of seeing him in July last, and what do you remember of him at that time?

A. Sunday the 28th of July, he called at my house and rode into the yard, between twelve and one at noon, before dinner, and the next morning between ten and eleven I saw the prisoner again, he came back to my house and brought the same mare again, and said, he would leave her in my custody. This was on the monday morning, and I saw the mare was very much spurr'd on both sides; she did not sweat but I told him he had rode her very hard.

Q. Have you seen the same mare since?

A. I saw her the day before yesterday, and the mare I then saw, was the same mare the prisoner at the bar was on when he rode into my yard, and left in my custody.

Q. How came you to be so particular as to the mare?

A. I took a great deal of notice of her, and said, Mr. Derby, how came you to ride such a horse as this, and he said, it is a thing my brother gave me.

Edward Street. Q. Mr. Street, do you know any thing of the prisoner at the bar?

A. Yes.

Q. Did you see him at any time in July last?

A. Yes, I saw him on the 28th of July last at the Hare and Hounds at Chobham, which is between Chertsey and Blackwater, about five miles from Blackwater. Mr. Derby then came to my house about eight o'clock in the evening, and called for eighteen pennyworth of punch, and after that another; and staid at my house until about nine o'clock.

Q. How late was you with him that night?

A. Until about nine or ten o'clock.

Q. How long was it after before you saw him again?

A. I never saw him until the wednesday after.

Q. What company was with Mr. Derby when he was at your house the 28th of July?

A. There was a Blacksmith in company with him, and they talked much together. Mr. Derby said, I have taken cold, and will put my great coat on; and he enquired the way to Basingstoke, and said he must go there; he also said he would pay for the punch, for he had money enough. Then continued in this manner until they parted, and then the smith and he went up the hill, and so on to Bagshot, as I thought.

Q. Where did you see him on the wednesday following, and had you intelligence the mail was robb'd?

A. The smith and I went and saw him on wednesday at the King's Head at Chertsey, and I applied to a gentleman to ask his opinion, and he advised me to go to the General Post Office; just after Derby rode in, not on the same mare, and this gentleman and I went up and spoke to him. I said to him, did I not see you at Chobham? but he rode off. I went to the General Post Office, and laid an information against him, and returned and pursued him; the thursday night I went to Shepperton, and staid there all day, and waited up and down all day, because I understood he lodged there. Mr. Davis was afraid I should be suspected. I went to enquire what horse he rode on, and found it was a blacksmith's horse at Chertsey. I went several times to seek him there.

John Street. Q. Mr. Street, do you know this prisoner at the bar? A. Yes, my lord.

Q. Can you remember when you saw him in July last?

A.

A. Yes, on the 28th of July, on a ſunday.

Q. Where did you ſee him?

A. At the White Hart at Chobham, about three o'clock in the afternoon, he ſat at the chamber window when I went to church, and likewiſe when I came from church, between four and five o'clock; and after that I ſaw him about ſeven or eight o'clock, at which time I walked home, and he ſtopped me on the common, and aſked me to go down to the alehouſe to drink, and accordingly we went down to the ſign of the Grey-hound, and was about an hour together in company or ſomething better.

Q. You parted then?

A. Yes, we drank three eighteenpenny-worths of punch, together with the man and woman of the houſe.

Q. What time of night might it be when you parted?

A. About nine o'clock I went with him to put him in the Road. At firſt he ſaid he muſt be at Baſingſtoke that night; but afterwards, when we were drinking together at the houſe, he ſaid he would go to Frimley and Farnham, afterwards I went about a quarter of a mile to put him in the way, and then he ſaid he would go to Bagſhot and lodge there.

Q. Did you ſhew him the way to Bagſhot?

A. Yes, and offered to go with him a little farther, and I went nigh a quarter of a mile, and then I returned from him, which was a little better than nine o'clock.

Q. Did you ſee him the wedneſday following?

A. I ſaw him then at Chertſey at the King's Head, and he went out of the King's Head on a cheſtnut horſe belonging to a blackſmith, he went out of the yard on horſeback, and I followed him, as it was all my road home, and there was no body with me. The next morning I went to Sheperton, and I went to Mr. Annet's and we lay there, in order to take him, for he had a lodging there, but we did not ſee him there.

Q. Do you know any thing of his being at Cove?

A. No, nor did I ſee him at Sheperton.

Q. Did you ſee the mare he rode on?

A. I ſaw it yeſterday in this town, I was ſhewn it at the Caſtle here.

Q. Was that the mare or not that he had at firſt?

A. Yes, certainly it was.

Q. Did he ſay any thing about his name?

A. He ſaid he was a countryman of mine, and that his name was Jones, and that was as we were drinking together at the Grey-hound at Chobham.

Q. Then you did not know what his name was?

A. No, he told me his name was Jones, and he ſaid he had been an officer in the army, and after that he ſaid he was a half-pay officer.

Q. Did you addreſs him as an officer?

A. I only called him Mr. Jones.

Q. Look at the priſoner at the bar, is that the man?

A. That is the very man.

Elizabeth Collins, ſworn.

Q. Was you at Chobham in July laſt?

A. Yes, I was there on the 28th of July of a ſunday.

Q. Did you ſee any thing of the priſoner at the bar?

A. Yes, my lord, in the evening, after nine o'clock, as I was coming from Chobham to Bagſhot he overtook me.

Q. Did he ſay any thing to you?

A. Yes, he aſked if he could ſend a letter to London that night, I told him I thought he might by the mail cart, he aſked in what manner it was, I told him it was a cart and a boy rode in the middle; but I recollected that the mail cart would not come that night, but that there would be a boy on horſeback, ride on between twelve and one o'clock, and that he would blow the horn as he came on.

Q. How late do you think it was when you parted with him?

A. I parted with him at Bagſhot a little after ten o'clock, at Mr. Titchburn's gardens.

Croſs examined.

Q. Did he make any enquiry whither the mail was guarded?

A. He did not.

Q. How far is Bagſhot from Blackwater?

A. About four miles.

Q. The perſon that overtook you on the road, do you know who he was?

A. Yes, it was Mr. Derby.

Q. How came you to know him?

A. I have ſeen him before at Mr. Titchburnes.

Q. Do you know it to be the priſoner at the bar?

A. Yes, I do.

Q. Do you know whether he was examined by

by Mr. Alderman Winterbottom at London?

A. Yes.

Q. Did the alderman ask you whether you knew the prisoner at the bar, and what answer did you make, and did not you say you did not know him?

A. To the best of my remembrance I said then before the alderman, I did know him. I don't remember I said I did not know him.

Q. I ask you whether the garb or cloaths of the prisoner at the bar was not changed and altered, and on your seeing him you said, you did not know the prisoner?

A. I don't remember that to my knowledge.

Q. How was he dress't when you first saw him in Surry?

A. He had on a brown surtout coat, and a plain hat.

Q. What answer did you give alderman Winterbottom when you did not know that to be the person?

A. I was surpriz'd to see him there, and did not directly know him.

Q. You do remember the circumstances of his cloaths being chang'd, and on your seeing him you said you did not know him?

A. No; I don't.

Prisoner. I would ask if she did not give a contrary account before the alderman?

A. No; I don't know I did.

Q. Did you give any account about the mail cart?

A. I can't say; I believe, and really think I did.

Thomas Lovell said he knew the prisoner; that he saw him on Sunday the 28th of July between 10 and 11 in the evening ride west from Bagshot.

Lucy Pace sworn.

Counsel. We have traced the prisoner to the time of the robbery? we shall now prove circumstances after the robbery was committed, in order to strengthen the charge against the prisoner at the bar.

Q. Mrs. Pace, do you know the prisoner?

A. Yes, to the best of my remembrance.

Q. When did you see him before, and what time.

A. On the 29th of July.

Q. What day of the week?

A. Monday morning.

Q. What time of the day?

A. Between 4 and 5 in the morning; I am sure, to the best of my knowledge 'tis the same man.

Q. Where did you see him?

A. At my own house, in the village of Southwold, in the parish of Yatteley.

Q. Is it high Cove?

A. Yes, about half a mile; my house is a farm-house. I was got up just as our clock struck four, before any of the servants were up; and I heard a horse come upon the stones, and immediately I heard a man call; I stepped to the door with great surprize, to see a gentleman there so soon in the morning. The first word he said to me was to enquire the name of the place, and then as he was sitting on his horse he said, he had lost his way. I asked him where he came from, he said he came from Farnham, and was going to Chertsey. I said to him, you are come out of your way; he said he came through a d---d dirty hole where some grass was growing. Then after that, he enquired the way to Ashton, and how far it was; I told him five miles; and, that by going there he would be five miles back of his journey. I saw the shirt-sleeve of his right hand hang loose; I took particular notice of it, and after I took my leave, I observed, that this gentleman went back the same way again, as he came to my house; and this was between 3 and 4 o'clock, as near as I can recollect.

Q. How far is Blackwater from your house?

A. About two miles, I believe.

Q. Do you know any thing of the place where the bags were found?

A. It was about a quarter of a mile from my house, I was not by when the bags were found.

Q. What sort of a horse was he on?

A. To the best of my remembrance, it was a mouse-colour'd horse, and since I have been in this town, I saw the horse in the stables at the Castle, and, to the best of my remembrance, I do think it was the same horse.

Being cross examined, whether she ever saw the prisoner at the bar before, and where. She deposed, that she never saw him before he came to her house in the morning; and that she saw him in the gaol.

Q. Did you not then say you did not know him?

A. At first, when I saw him in gaol, I did not directly know him; but afterwards I recollected my memory and said, this is the very man that came to my house on the 29th of July, between three and four in the morning.

Q. Was not the prisoner's cloaths strong'd, and he in the custody of the constable?

A. No.

Q. You did not directly know this prisoner at the bar, then, at first?

A. No; I could not, for he was fuller of flesh then, and I had not so full a view of him as now; and when I first saw him again in prison, I was in great surprize to see him there.

Q. On your recollection, can you satisfy my lord, and the jury, that this is the same man, the prisoner now at the bar, that rode into your yard?

A. Yes, my lord, I believe it was the same man.

John Zaggy sworn.

Q. Do you remember seeing the prisoner at the bar in July last, and what day?

A. I can't remember the month, nor the day of the month; but to the best of my knowledge it was of a Monday I saw him; it was in hay-making time.

Q. Was it before the robbery was committed, or after?

A. I heard of the robbery the next day; I saw the prisoner on the Monday, about five o'clock in the morning; I saw him near by Cove.

Q. Who was with you?

A. I was by my self, driving home my cows, and the prisoner was on horseback.

Q. Where is Cove?

A. In Yeatly parish, about five miles from Basingstoke; and when I saw him, he ask'd me how far it was to Alliton, and also how far to Henly-farm. I told him it was about an equal distance; he asked me what time Weston's waggon set out; I told him I did not know; it was according as they were loaded, they stay'd more or less, to give their horses rest.

Q. Did you see any thing of a bundle he had?

A. He had something before him; I can't say what; his coat was lapp'd over it; it look'd like a small portmanteau or a bag; I parted from me about five o'clock.

Q. Did you take notice of any horse or mare he was on; and have you seen it since you have been in this town?

A. Yes, and I saw it yesterday in this town, and I believe it was the very same the prisoner was on that morning.

Joseph Pepperhorn.

Q. Do you know the prisoner at the bar?

A. Now, by the alarm of the country, I might know him as far as I knew; but can't be positive, nor do I remember any thing of his face.

Counsel for the king.

Now we shall proceed to prove the place where the bags were found.

Thomas and William Senes (two brothers) sworn.

Q. William Senes, where do you live?

A. In the parish of Yeatly, on the borders of Hampshire, about two miles from Blackwater.

Q. Do you remember any thing of finding any bags?

A. Yes, my lord, I was the man who found them near Cove; I found them about a quarter of a mile from Lucy Pace's house; I know her and her family, and about a quarter of a mile from her house I found the bags; they were leather bags, with bands tied on them; they were all broke open and rifled, and the letters mixed with one another; they were all unseal'd, and there was a pretty many letters lay about; it was in a ditch, and some boughs cut and laid over them.

The bags were produced in court.

Q. Are those the bags?

A. Yes they were.

Thomas Senes examin'd.

Q. Was you with your brother at the time, and do you know any thing of finding the bags?

A. Yes; it was the latter end of August, in harvest time; we were then reaping wheat, and we found such bags as you have shew'd, and a great many letters in them; they were all rifled.

Q. Do you know Lucy Pace's house, and how far was that from the place where the bags were found?

A. About a quarter of a mile.

William Callingham sworn.

Q. You know the prisoner at the bar, and do you remember seeing him at any time?

A. Yes; I think it was on the 20th of July, of a Monday, between six and eight in the morning; he was on horseback of a sorrel-chesnut colour.

Q. Have you seen the horse since you have been here?

A. Yes!

A. Yes, and I do take Edwin the same horſe.

Q. Where did you then ſee the priſoner?

A. At the parſon of Chobham, near the windmill, about four miles from Godalming; I was driving a waggon, and I heard a horſe, and I looked about, and ſaw a gentleman come on, I ſtopp'd and let him go on, and he aſked me if I was going to Chertſey, and I told him, Yes; and then he deſired me to take a great coat and a hat and carry to Chertſey, and leave them at Mr. Green's, at the King's head there, and take a pot of beer upon them; it was a penny large, ſtiff hat, and a darkiſh coat.

Being croſs examined, whether he ever ſaw him before, or at any other time, he depoſed that he never ſaw him but that time, and in Newgate; and that when he ſaw him in Newgate, he ſaid, this is the ſame man who gave me the great coat, that he particularly knew him by his countenance.

Priſoner Derby. When you came and ſaw me in Newgate, in the Preſs-yard, did you not ſay, you did not know me, and was ſhewn by ſome perſons who I was, and by their directions fixed upon me?

A. No, Sir, and I am poſitive the priſoner at the bar is the man who gave me the great coat and hat.

Daniel Barker, ſworn.

Q. Did you ever ſee the priſoner at the bar before, where and when?

A. I live at Wapſham, within three miles of Guildford, and between 7 and 8 in the morning, on the 29th of July laſt, a gentleman called at my door, and the ſleeve of his ſhirt was loſſe, and my wife gave him a bit of ribband to tie it: My houſe is about ſix miles from Blackwater heath.

Q. What ſort of a horſe was he upon?

A. A cheſnut mare, and believe that to be the ſame mare I ſaw in this town yeſterday.

Being croſs examined whether he knew the priſoner at the bar to be the man that called at his houſe, and whether he ſaw him in Newgate; he depoſed, that he ſaw him in Newgate in October laſt, and that he ſaid, if he was the man, he had ſuch a coat on.

Being further examined, whether he could take on him to ſay that the priſoner at the bar was the man he ſaw at his door, he replied, he believed he was; and to the beſt of his knowledge he gave the very ſame anſwer.

Q. Did you ever ſee the priſoner before at Wapſham?

A. On the 29th of July between ſeven and eight in the morning, as was juſt going to work; I was juſt got out of bed, he inquired whether I could ſhoe a horſe, I ſhew him the way, and called him to Dowley, where I was at work at barn, and about the way to Chertſey; I took a horſe and went along with him.

Q. What ſort of a horſe was he upon?

A. A mare about fourteen hands high, of a cheſnut colour; I ſaw the ſame Monday night at the Caſtle, and it was the ſame mare he rode on. I obſerved his ſhirt ſleeve was open, and he aſked for ſome packthread to tie it, and Mrs. Barker gave him a piece of ribband, and I tied it myſelf.

Being croſs examined, he was aſked, whether he could take upon him to ſay the priſoner at the bar was the man, he ſaid, Yes, he knew him very well, and he firſt told me, he came from home that morning; I ſaid to him, that he could not come in that time; he then ſaid, he came from his father's houſe at Farnham.

Q. As he ſaid he came from home that morning, pray how many miles would that have been?

A. About ten miles.

William Brown, ſworn.

Q. Do you know the man at the bar, and how long?

A. I knew him laſt ſummer was twelve-month at Farnham; I have drank with him two or three times there; he married his wife from thence. Wapſham parith is about eight miles diſtant; about three or four days after the robbery was committed, I ſaw him at the ſign of Tumble-down-Dick, in Farnborough parith, Jubby Cove. It was Wedneſday about three in the afternoon.

William Simonds, ſworn.

Q. William Simonds, where do you live, and what do you know of the priſoner at the bar?

A. I live at a public houſe called the Valiant Soldier, at Farnham, and I ſaw the priſoner at the bar the Wedneſday night after the robbery was committed; he came to my houſe about twelve o'clock, called for ſome wine and water, lodged there, and laid till eight the next

next morning, he took three quarters of an hour before the cows or he went to bed he asked me, if I had heard any thing of the mail's being rob'd, and said that if any body should ask whence he came from, I should tell them from Portsmouth; and while he was at my house he took a quantity of small papers, as many as I could grasp in my hand, out of his pocket, and wanted some whited brown paper to put over them, they were written papers as near as can tell. After he had done papers, he wrapped them up and sealed them six or seven times. I asked if he would have a pen and ink to direct them, and he said, No.

Ruth Simonds, sworn.

Q. You are the other witness's wife?

A. Yes.

Q. Do you remember the prisoner at the bar coming to your house, and taking any thing out of his pocket the next morning?

A. Yes, I saw him take a parcel of papers out of his pocket about as thick as a Testament, and he asked for some brown paper, and he tied them up and sealed them with six or seven seals, and in the morning when the barber brought his wig, he said, Mr. Derby, where did you come from? and he said, from Portsmouth; and after that he said he came from Rise, Chaffin's.

—— Collins, a bellman, sworn.

Q. You are the bellman, did you see the prisoner at the bar, and where?

A. I met him after I had gone my first rounds, about half an hour after 3, Thursday morning, at Farnham; I asked him where he was going to, he told me he should go no farther than Mr. Simons's, and should lodge there, he called for a mug of beer and some bread and cheese.

Thomas Richardson, sworn.

Q. Where do you live?

A. At the King's head in St. James's street, a little public house, I am the landlord.

Q. Look at the prisoner at the bar, do you know him?

A. I know him very well, he has been several times at my house before the robbery was committed, and he came to my house the Friday morning after the robbery was committed, and he looked as if he had been walking thro' corn fields, or grass fields, for his shoes and stockings were very dirty; when he came in he called for a mug of beer and asked for the Daily Advertiser, he said that he was suspected of robbing the mail, and that he was pursued, and was obliged to come from Sheperton that night.

Mr. Arrowsmith, sworn.

Q. What are you?

A. A barber and peruke maker, in St. James's street.

Q. Look at the prisoner at the bar, did you see him at Mr. Richardson's house, the time he speaks of?

A. I know the prisoner at the bar, for I have worked for him, and saw him at that time; he sent for me, when I came in he was sitting and a woman with him whom he called his wife, and he seemed very much frighten'd, and on very dirty shoes and stockings, and he told me he was very much frighten'd, for he was suspected of robbing the mail, and they were in pursuit of him; I said to him, you are a gentleman, and if you are innocent you had better surrender yourself. He said, it was a terrible thing to lie in a jail. I, hearing this from him, and fearing if he was taken up, I should be taken up also, made an excuse and said, there is a gentleman wants me and chose to go to him, which accordingly I did, and did not return to him again. I did not see any papers he had, but I am very positive as to the man.

Q. Do you know any thing of the prisoner's having a mare?

A. Yes, sometime in July he had a mare of Mr. Curtis; it was a sorrel or chesnut mare, I knew the mare, and since I have been in town have seen the mare, and believe her to be the same.

Thomas Hewcroft, sworn.

Q. Where do you live, and have you ever seen the prisoner at the bar?

A. In Orange court, just by Leicester-fields, and on Friday, the 2d of August, about half an hour after eleven in the morning, I saw the prisoner at the bar, and am positive this is the very man I then saw; he came to Mr. Samuel Dodd's, a publican, that lived in Orange court, and said he wanted a man to go to Sheperton; I went to him, and when I came to him his shoes and stockings were very dirty, and he seemed greatly confounded, there was a lady with him, he asked me if I would go to Sheperton with a letter; we agreed

paid for the price, and he told me to take particular care to deliver it into nobody's hands but his mother-in-law, and he asked me if I had heard any thing of the western mail's being robbed, and said that they suspected him and were in pursuit of him; he said he was an officer in the army, and I must bring a bundle of cloaths from Sheperton for him and his lady, and desired me to take particular notice what the people said of him, for he said, the people at Sheperton were all in arms in pursuit of him, and that he would not be taken for an hundred pounds, for he should lose his commission as an officer in the army. I went with the letter to Sheperton; when I came there I could not find his mother, but she was gone up to a public house there, and when I came back to Orange court he was gone.

John Gardiner, sworn.

Q. Do you know the prisoner at the bar?

A. To the best of my knowledge I might have seen him once, but can't tell where.

Henry Curtis, sworn.

Q. Look at the prisoner at the bar, do you know him?

A. I can't say I have had any knowledge of him, I saw him once before in Newgate, he hired a mare of a servant of mine while I was in the country, I did not see him then, I went to Newgate and asked him for the hire of my horse, which was never paid me to this day.

George Mullard, sworn.

Q. You was at Mr. Henry Curtis's at the time the prisoner at the bar hired the mare, and what time was it?

A. On the 16th of July, he came and hired the mare, it was between a chestnut and a sorrel colour, he then kept the mare out three or four days and then he sent her home, this was the first time he had the mare. I was there then, did the mare I have seen in town, and is the same mare.

John Payne, sworn.

Q. Do you know the prisoner at the bar?

A. Yes.

Q. Was you ever employ'd to carry a mare any whither.

A. Yes, in July last, to the Ship and Anchor at Weybridge, he sent three or four lines by me. I carried the mare and called at Chertsey for a plain hat, by the prisoner's order; he has sent me on several messages, and always behaved to me as a gentleman; on the 15th of July he came to Mr. Groom's at Knave's Acre, and said he was a recruiting officer to go to Nova Scotia, and said, that he had bought a captain's commission, and ask'd me whether I would go with him; I replied, I would go with him, as he was going abroad, for the favour of some of his old cloaths; he told me, he had a hat at home he would give me if I would go and fetch it.

Q. You have seen the mare since she came to Kingston?

A. Yes, and that is the very same mare, it is about fourteen hands high, of a chesnut colour; it was Mr. Curtis's mare, and stood at Groom's. I was to deliver this Mare the 29th of July, which I did half an hour after nine in the evening. After that I took a walk down to Sheperton, and went to Chertsey, and took a lodging there; the landlord said, there was a great coat and a hat left there, I left the coat there and took the hat.

Charles Harding sworn.

Harding. I live at Winchester, and about the 9th of August, I went down from London to Gravesend about my own business, and I heard upon the road as I came from my home to London, that Derby was suspected of robbing the mail, when I landed at Gravesend a little after seven, the 9th of August, I went to breakfast at Mr. Jones's house, the sign of the King's-head, there came in a person and ask'd for Captain Huskin; he was there at the time, he said, does any body want me, Fisher (the person who came in) said only a friend of mine at the Star, that is going to Rotterdam, and desired him to call on him to take his leave. What is his name, said the captain, to which Fisher replied, one Mr. Derby. Hearing that, made me give some attention; and I said to Fisher, what sort of a man is this Derby? he said, a genteel clever young fellow, a ship-mate of mine; I said, is not his father a clergyman, and does he not live at Wimborn in Dorsetshire; to which he said yes. On this I went out to the landlord Mr. Jones, and told him, this is the person that is suspected of robbing the mail, and I think it is proper to send for a magistrate and secure him. Mr. Jones sent for the constable, and I returned into the kitchen to my breakfast, and as I came in, on the table lay the news paper, which I took up, it was the St. James's evening post, I looked on the paper, and there was a paragraph concerning the mail's being robb'd, and Derby being the very identical person, I took the paper up, put it in my bosom, and said to the landlord, I will go

and see where he lodg'd which was at the Star, I told the conſtable and Mr. Jones, if you will go down to the water-ſide, I will go and ſee if it is the ſame perſon that was cried at our ſuites. When I came there, I ask'd for the news paper; and the boy in the houſe ſaid, the gentleman above ſtairs has got the news paper, immediately I went to the water-ſide, and ſaid to Mr. Jones and the conſtable, I believe it is all over, the perſon cannot be found in the houſe; with that we were debating in what manner to apprehend him, immediately he appear'd at the corner of the ſign of the three Jays in Graveſend, and as he came round the corner, I ſaid, that is the very man, and as he went in we advanced, I foremoſt, I held out my hand and ſaid, your ſervant Mr. Derby, he ſaid, I don't remember you, I ſaid, did you not remember me at Winchester, he ſaid, he did, and was greatly terrified; immediately Jones took hold of his arm, and the conſtable took hold of the ſkirt of his coat, we ſearch'd his pockets for fear of his having arms, and the firſt thing I found was the St. James's evening poſt, I took the paper and ſaid Derby, you ſhould have gone off, he appear'd very dejected, and ſaid, he thought it would come to this; we carried him thence into Mr. Jones's houſe to ſearch him more narrowly, and there being a great many ſailors in the ſtreet, we were afraid of a reſcue; we had him up ſtairs in Mr. Jones's room, and in the lining of his coat we found ſeveral looſe papers and letters not of any conſequence relating to the mail as I could obſerve. From thence we conducted him to the Mayors, and there preſented the news paper to the Mayor, deſiring him to read the advertiſement, and ſaid, that is the man that is advertiſed, I will make oath of it, and being ask'd if his name was not Derby, he ſaid, I believe I am the perſon that is advertiſed; then the Mayor ordered to ſend for the perſon that paſſed for his wife, who was found in the back room of the Star, with a bundle before her, I ſaid to her, Mrs. Derby, you muſt go with us before the Mayor; ſhe ſaid, Lord have mercy what have I done! we carried her up to the Mayor, and then the mayor order'd Derby and his ſpouſe into the cuſtody of the officer; then I ſent to the Poſt-office to acquaint the gentlemen of this thing; the gentlemen of the Poſt-office came down, and he was brought from Graveſend to the Poſt-office, and a proper guard was ordered to attend him; I was in the room with him then, and he having drink pretty plentifully, his ſpirits began to recover, and then he thanked me for being a thief catcher, and ſaid, thief-catching money would do us no good.

Mr. Wiſeman ſworn.

Q. Are you conſtable at Graveſend?

A. Yes.

Q. You remember being with Mr. Harding at the time of the apprehending the priſoner at the bar?

A. Yes, he ſent a boy to call me, when I came down, he ſaid he wanted to ſpeak with me; when I took Derby up on ſuſpicion of robbing the mail, he ſaid, he was the man that was adverti[illegible], and was going to leave England on that account, I took hold of his arm, and Mr. Harding ſhew'd him a news paper, and we had him to the Mayor's; when we took him, both he and his wife had but five ſhillings and nine pence about them. I ſat up with him all night, and the next day I went to London, there on his examination at Pontac's, he ſaid, I ſhall not have above a month or five weeks to live, for I am afraid of the poſt boy that he will hang me, and he wiſhed they would take and hang him up directly.

Mr. Jones ſworn.

Q. Where do you live?

A. At the King's-head in Graveſend.

Q. Do you remember the priſoner at the bar at any time?

A. The day before his apprehenſion, he was drinking a pint of wine with Mr. Fiſhes at my houſe, and I heard his name Robert Derby; and when I underſtood that he was ſuſpected of robbing the mail, Mr. Harding and Mr. Wiſeman, and I, went altogether to take him; we took him as he was going to Rotterdam by captain Buskin, he ſaid, he was the man ſuſpected of robbing the mail, and that he would ſell his wife's cloaths to pay his paſſage.

James Wilford ſworn.

Q. Have you had any knowledge of the priſoner at the bar, and have you been in his company ſince the robbery?

A. Yes, I had diſcourſe with him in Newgate on the 25th of December, after I had been with him he faſtened the door, and ſaid, that at that time he was at Graveſend, his wife had bank notes concealed in her ſtays to the value of 600l. I ſaid, I hope not taken out of the mail; he ſaid, yes they were; I told him, I was very ſorry for that; after that, he asked if he might go up ſtairs, accordingly I went up into a room on the left hand;

hand; in the room was Mr. Floyd and Mr. Eaton, and a woman altogether; some time after they went down, and there Derby said, his brother went to fetch the bags by his direction, for without his direction no body could find them.

John Curtis. I was with the prisoner the 15th of March; he then said, it is all over with me, my brother has used me very ill, I am the man that robb'd the mail, I will plead guilty, and not give the court any trouble; he said, he had given direction to his brother to go and look after the bags.

Derby. I had but 309 l. that was all the money I ever had.

Francis Price Newman. I am apprentice to Mr. William Deroy, and I went with my master to fetch a bag of letters, which was about the latter end of August, we went about thirty miles out of town, and when we came there, he ordered me to hold his horse, he went and came back in about half an hour, and brought a brown cloth bag, he wrapt his great coat round the bag, buckled it on the horse, and I brought it to town.

James Titchburn sworn.

Q. Do you know the prisoner at the bar?

A. Yes, I know him very well.

Q. The point I would ask you is, whether on the night of the 28th of July, he had been in your company?

A. No, he had not been in my company not from the 11th or 12th of July, and then I happened to be in company with him at the King's Head at Chertsey.

Prisoner's defence. I leave my defence to Mr. Knowler.

Mr. Knowler declined it.

Court. Your counsel knows his duty very well, they may indeed speak for you in any matter of law that may arise on your trial, but cannot as to matter of fact, so you must manage your defence in the best manner you can yourself; have you any witnesses to call.

Prisoner. No, I throw myself to the mercy of the court.

Guilty Death.

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2. *JOHN SANDERS* 3. *HENRY HAYNES*, indicted for entering the dwelling-house of captain David Grimball, in Paradise Row, Rotherhith, on the 31st day of October, 1750, in the county of Surry, and feloniously stealing therout one pair of large silver candlesticks, snuffers and stand, a pair of large silver salts, one large soup spoon, eleven large, and six small tea spoons, too large silver pocket-cups, two pair of silver buckles, a punch bowl the top, rim and bottom silver, two pieces of Scotch holland and divers other things, the property of the said David Grimball.

John Sanders, pleaded guilty.

Henry Haynes, pleaded not guilty.

Sarah Timmins. I live as servant to Mr. Grimball, on the last day of October, about six o'clock at night somebody knock'd at the door, I went to the door and not having opened it, I ask'd who was there, and the person answered they were come from Devonshire-square with a letter from Mr. Chevenel's porter, Mr. Chevenel was my master's son in law, I opened the door, and Sanders gave me a peice of Pipet like a letter but no writing upon it.

Q. After you had receiv'd the letter, what was done then?

A. Sanders push'd into the house, I had a candle in my hand and he knock'd it down, I had a great struggle in the entry, then his companion came in and shut the door, I really believe this is the man; Sanders then pushed me backwards into the kitchen, there was none then in the kitchen but my mistress, my master was gone out, they then set us down on two chairs and tied us hand and foot with cords they pulled out of their pockets to the chairs, and tied the chairs together; then Sanders pulled out two pistols and stood over us, the other went down into the kitchen below, and opened the door, then he returned and lighted his candle and went up stairs, and then came down into the kitchen again after he had took what he thought proper; I had been ironing in the kitchen, I saw him take a shirt, I believe he took two for both was gone, he thrust the shirt in somewhere about him, I believe into his breeches; after that he came to my mistress, and bad her give him her money. Sanders was all the time with the pistols over us; my mistress gave him all the money which she had in her pocket, which was half a guinea in gold and some silver, he then demanded my money, and I gave him 14s. or 14s. 6d I can't say which, after he had got our money, he ask'd for the keys of the plate in the parlour, my master was gone out and had taken the keys with him, they then wanted something to break the locks open, which he did with the poker and an old knife out of the drawer.

Q. When did you see the plate, and what was it, was it lock'd?

A. I

A. I saw the plate there an hour before, and the door was lock'd; it contained a pair of large three candlesticks, snuffers, and stand; a cup and a pint pots, eleven large tea-spoons, a pair of salts, a large soop spoon, a punch-ladle, a punch-bowl rim'd with silver, half a dozen small tea-spoons, and four or five large spoons.

Q. Did you see any of these things in their possession?

A. No; but they were all taken away and 2 pieces of Scotch holland out of one of the chambers. They said, if you stir or speak until we are gone, we will blow out your brains.

Mrs. *Grimbal.* Q. Mrs. Grimball, please to look on the prisoner at the bar, and see if you believe he is the same man that broke into your house?

A. Yes; I believe he is the man.

Q. Please to tell us what happened on the 31st of October, at your house?

A. On the 31st of October, about six o'clock, when the maid went to the door, I heard her cry out murder, very loud; I went up to the window and flung open one of the windows, and cried out murder; and on my crying out murder, one of them came in, which was Sanders, and he tied us both together; the other stood at the door about two minutes before he came in, which I think was the prisoner at the bar; and Sanders stood with a pistol over me, and the other man took the candle and opened the door and went backward; then he came a second time and went up stairs; when he came down, he had something appeared like cloth by the whiteness; he then took a holland-shirt which the maid was ironing; then he demanded my money; Sanders stood with two pistols, one in each hand, and I gave him what money I had in my pocket; half a guinea and some silver; Sanders bid him not take the maid's money, but he did; he then asked for the keys of the plate; I told him my husband was gone out and had taken the keys; then they broke open the closet and took out the plate. (*She gave much the same account of the plate as the maid had done.*) I saw this plate in the closet, a little above an hour before, and there was nobody of my family in the house but the maid and me; and when they went off, they said, if you stir before we are gone out of sight, we will come back and blow your brains out.

Q. Have you seen any of those things since?

A. None of them.

Cross examination.

Q. I would have you be very careful as to the lives of the persons concerned: Were you not very much terrified?

A. No; I was far from it; he assured me he was not come to murder me, but for my money.

Q. Can you say positively he was the man?

A. I can't say positively he was the man; I can swear to Sanders, and this is very much like the other man.

Q. Who gave information of this man?

A. Sanders.

——— *Macdonald* sworn. Q. You was at the taking of the prisoner?

A. Yes; I was after him three or four days; and a Sunday morning I took him at his mother's; I shew'd him the warrant; he said if I would let him go he would give me three guineas; that he had but three or four guineas of the money of the plate; and, that Sanders went over and sold the plate in France, to Jerry Curtis, the smuggler, who broke out of Newgate; he cried, and said he wish'd he had been an evidence for captain Grimball.

Thomas Stanley. I was at the taking of Haynes; he did not then know Sanders was in custody until he was charged; and said, he was never concerned with Sanders in any other robbery; and that he had only three or four guineas for his part.

Prisoner's defence. Please you, my lord, all they have been talking of is all false.

Witnesses to the Prisoner's character.

Ann Fitcher. The prisoner at the bar I have known almost 20 years; seven years of the time he lived in my house, and behaved himself as well as any servant I had in my life. Since which time he has several times called on me as my other servants did; if he had any hand in this affair, he was drunk or mad.

Joshua Wood. I have known him 14 years; he always lived in a regular manner; was supported by his industry; his residence was at his mother's; I never knew any bad character of him in my life.

John Cocker. I have known him seven or eight years; his chief residence is at his mother's, who is a woman worth a great deal of money, and keeps an alehouse and a chandler's shop; he served out things in the shop, and was belov'd by every one he served in the shop.

Noah

Wood Fearing. I have known him from his infancy; his mother has been handy with his mother; he is a good-natur'd man; I entrusted him several times, and he never wrong'd me; and I would trust him again if he was out. Acquitted.

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6. *WILLIAM PARSONS LAWRANCE* and *RICHARD SMITH*, indicted for assaulting Thomas Cooper on the king's highway on the 3d of September, near a place called the Kentish Drover in the county of Surry, presenting a pistol to him, and putting him in bodily fear, with an intent to rob him.

Thomas Cooper. On the 3d of September last I was coming on the Deptford road between Deptford and London, and about 300 yards beyond the half way house I met these two persons walking in a very idle saunttering manner, when I was just past them, Lawrence came on, I said, villain what are you; I will not be robbed; he then jumped in with me, with a pistol to my breast, and said, d——n you, stand, or I will shoot you through the breast; I jump'd from him, and then Smith seiz'd me, and said, d——n you, if he can't stop you I will. Smith said I am a Custom-house officer, and I will search you. I struggled with them both, and they carried me by main force into the yard of the house called the Kentish Drover, the half way house between Deptford and London, and into the house, and pushed me behind the bench, and called for some drink; I said I would not drink any beer, nor would I pay for any, nor would I be searched but before a magistrate. Henry Strangeways, who was then on the road, was come up, and said, what is the matter of all this bustle? I called out loudly, Is a man to be robbed and no-body to help him; whereupon a man out of the window called out, stop them for I don't know them. I thought he had said stop me. Lawrence levelled his pistol at me and said, d——n you, I will blow your brains out if you stir. Smith, who pretended to be a Custom house officer, threw me two or three times against the pales of the man's house, and swore he had an information against me. Against me, said I, who am I, what am I, what do I live? I pulled off my coat to oblige the populace, and pulled out the things I had in my pocket, a book and a German flute; they then brought me before Justice Hammond, and Smith pulled out a deputation for him to lay on board a ship in the river Thames, that had been fitted

Being cross-examined, he said it was on the 3d of September, about half an hour after six, that his pockets were being turned out.

Q. Is not the 3d of September about the time of the India men coming into the river, and had you not been on board the York India-man?

A. Never but once, and that was three or four days before this happen'd, and was there acquainted with Peter Lascelles.

Q. According to my instructions Peter Lascelles did not know you.

A. I did not see him, for he was not on board.

Q. Did you not consent to go into the Kentish Drover?

A. No, I was forced to all these villains.

Henry Strangeways, I was coming up from Kent, and on the 3d of September came by the Kentish Drover, and Cooper came out to tell me what was the matter. Smith and Lawrence said, d——n you, are you going to run away from us, if you stir an inch farther I will blow this pistol thro' your body. I thought they would have killed him. Both of them had pistols and a bagget.

Prisoners Defence. We are both Custom-house officers.

Lawrance. I put my hand to my pocket and shew'd my authority. Smith is a regular Custom house officer, and I am an extra tide-man. We shall call witnesses to confirm what we have said.

Mr. Straw. I am an inspector of the customs, and this Richard Smith is a Custom-house officer, and Lawrence is an extra man, whom we employ in a glut of business. Smith is on a constancy and has 35 *l.* a year. I look on them both to be honest lads. I know Smith more than the other. There is an act of parliament of the 9th year of his Majesty's reign, by which they are allowed arms by commission and the King's charge, the law allows us to resist force by force. There was then an India-man, the York, lying in the river, and a great many people often go aboard such ships, and convey off handkerchiefs, cuffs and sleeves; when any of those people have run these goods, they come through the Kentish drover, and there has been a great quantity of goods taken on this road.

Mr. *Gould, Billingsgate,* said Lawrence behaved very much as he was present; believes he thought he was at the Custom-house when the Kentish-drover at first stop'd, and that he had got a

parcel of Tea but about half an hour before this affair happened.

Mr. Bleet deposed, that they were diligent good officers; that they may stop a man on the road in the discharge of their duty, but not to rob him. Acquitted.

7, 8, 9, 10. *JOHN SAUNDERS, CHARLES CAMPBELL, GEORGE JONES* and *EDWARD BOURN*, indicted for entering the dwelling house of Thomas Cooper, on the 8th of October last, in the Grange Road, Southwark, in the county of Surry, and feloniously stealing thereout, one silver watch, five silver tea spoons, one pap-spoon, a pair of silver tea tongs, some wearing apparel, one dozen of napkins, and divers other things, the property of the said Thomas Cooper.

Saunders, pleaded guilty.

The others, not guilty.

Thomas Cooper. On the 8th of October last, about half an hour after ten at night, some body knocked at my door, I said, who is there, the answer was, here is one; what do you want, said I, I want two halfpenny candles, they said; I unlock'd the door, and Campbell came in, and I went to give him the candles, and he touched me on the shoulder, I turned myself and he put a pistol to my cheek, and said, d——n your soul, if you speak or cry out I will blow your brains out. I up with my right hand and hit the pistol from my cheek, and said sirrah, you a rogue, a thief, and a rascal, and got him some way onwards out of my house; then Saunders standing half in and half out the door, he soon came in, brandishing his cutlass over my son, and cut my son with a small scar; then they shoved us into the kitchen, and Campbell and Saunders shoved us up both together into a corner in a chair, then Saunders said, where is the rope? the other then threw them down on the table, and tied our hands and legs together. Saunders then said, get up stairs and fetch down a blanket off the bed, but he brought down a quilt, and threw over us; and then he opened the door and let in other persons, which I suppose were Bourn and Jones. I did not see any body in the house but Campbell and Saunders, for the quilt was over us, but I heard them open the door, and let in some other persons. Saunders said, unbutton the door and go up stairs, they had not been up a minute before the locks were snapt asunder. After they had pushed us into the kitchen they blow'd the candle out, then they took the cheese knife and cut the drawers; they had turned every thing out of all the chest of drawers, and staid in the house about half an hour. Saunders said, tell where your money is, for I expect to carry away 500 l. Then he said, since I can't have as much money as we expect, we must have your watch, and then took the watch out of my pocket. When they went away they left both of us bound, I loosed my hands, and then unbound my son's legs, and he ran to the watch-house to be loosed. When I came up stairs I miss'd a suit of cloaths of my own, and a suit of my son's, and a new suit of a son I have an apprentice, a little spoon, a middling spoon, a pair of silver tongs, a black morning ring, sheets, table cloths, some child bed linen, damask napkins, diaper napkins, and abundance of other things. I did not hear of my things until they were in Gaol. The prisoner Campbell, I am certain, was one of them, for I had hold of him by the collar several times.

James Cooper. On the 8th of October last I was smoaking a pipe with my father, as usual, before we went to bed; the clock had struck ten, and my father said it was time to go to bed, and as he had settled things in the shop, he said he would go backwards to ease himself, in the mean time I fell fast asleep, and heard no noise until I heard my father cry out thieves, murderers, and that waked me, when I heard my father cry out, I ran to see what was the matter, before I came into the shop I was seized by a lusty man, with a brown coat, and a black dark wig, and he turned my wig over my face, and set me down in a chair, and told me if I stirr'd he would cut me down, I told him I would not, my father was seated in the chair; he said, where are the cords, Josh, with that my father was tied prettily, and I after; then they went up stairs, and brought down a quilt and threw'd over us. I imagined there might be three in the room; after that one of them said, are you ready, the other said yes, then the reply was, march along, as they went one of them said, I will stand at the door an hour, and if I hear any noise I will come in and blow your brains out. When we had stay'd about an hour, I called and said, may we speak, gentlemen, after some time I called again, and heard no answer. My father shifting his hands got them loose, and then loosed me, as I my father had deposed. I can't positively swear to any of their faces, for their was no candle in the room,

room, and we were cover'd over with a quilt.

Prisoner's defence. Campbell, I am guilty.

Bourn, I know nothing about it.

Jones, I know nothing of it.

Q. Have you any witness to call?

A. There were six or seven here when we were arraign'd, but I see but one of them here now.

Court. There is no need of any witness for Jones or Bourn, for there is nothing sworn against them.

Campbell, guilty. *Death.*

Jones and *Bourn*, not guilty.

There was another indictment of the same kind against John Saunders, for entering and robbing the house of Matthew Thompson of Snow's Fields in Bermondsey, in the same manner, to which he pleaded guilty.

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11. *GEORGE THOROWGOOD*, indicted for stealing out of a field at Putney, a bay mare, the property of *Lawrence Williams*, Gent.

This Thorowgood took the mare out of the field; rode her to Barnet without a saddle; exposed her to sale there, to one John Gates, who suspected his coming by her honestly; whereupon he took him up, on which he confest the fact. Mr. Williams hearing of it, sent his coachman there, who seized the mare, and the prisoner was removed into Surry; as he was taken into custody, several young men being round him, he desired them to take warning by him, and not do as he had done; and then said, Oh my dear life. All the defence he made was, he begg'd a thousand pardons. *Guilty. Death.*

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12. *JOHN UNDERWOOD*, indicted for breaking open the dwelling house of Mr. Ticknell, on the 20th of February, and stealing thereout some pork, four gallons of vinegar and a woollen apron. *Guilty, felony only.*

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13. *MARY LANGSDEN*, indicted for breaking open a box, and feloniously stealing thereout a green silk purse containing 5 guineas, the property of Letitia Hearn, (now Bailey) in the parish of Bermondsey, in this county.

Letitia Bailey. I lived as a servant to capt. Hutchinson's lady at Church Cobham; left my place the 1st of August, and then went and lodged at the house of Thomas Smith, and brought 3 boxes with me: in the bottom box I put a green purse with 5 guineas; the prisoner at the bar who lodged with me, wish'd she had 5 guineas; I told her I had work'd hard for it; I went to open this box the 1st of September, and found it broke open and the money gone; and thought she must take it; accordingly I went and had her up stairs, and told her, she must have the money; she soon after fell a crying, and said, she had broke open the box the 24th of August, and then took out 1 guinea, and the Wednesday following took the other 4 with the purse; after that I had 7s. 6d. of her, which was all I had of her.

Nath. Charles, and *Thomas Smith*, deposed to the same effect.

Prisoner's defence. I came to lodge at this house, and this young woman came to lodge with me; I had a great deal of wearing apparel, and she said that she had been robb'd before, and 'twas very hard to be robb'd again, but did not know who it was. Had no witness to call. *Guilty. Death.*

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14. *RICHARD PATRICK*, indicted for breaking open the house of Mary Ellender at Limehd, on the 13th of September, and stealing 9 guineas and 2 half crowns.

Mary Ellender. On the 13th of September I was going a hop picking, and left nobody at home; when I went I secured my house, and fastned the door; I barr'd the back door with a wooden bar across the door; lock'd the street door, and carried the key with me; when I came home, about 6 or 7 in the evening, I unlock'd the street door and went into the brew-house, and saw a hole cut in the door and room for a man's hand; and the bar was put in a little way, but not so far as when I left it; and I missed, out of a little box that was lock'd, 7 guineas and 2 half crowns, and other small pieces my mother left me for my daughter; I left the box lock'd, and found it lock'd; I left the key of the box in the desk, and found it on the mantle-shelf.

Richard Turney, constable. I had a warrant from 'Squire Staples, in order to apprehend any idle disorderly person that I might have a suspicion of; I carried a neighbour of mine down into the common, and heard that the prisoner at the bar was there very full of money; and thereupon I took him up on suspicion; but when I had examined him afterwards, he had no money in his pocket;

I en-

I enquired what he had done with it; he said he had either left it at his father's, or in the oven where we took him; according I went and searched the oven, and there I found five guineas, and eight shillings in silver. I had him up before Mr. Staples, and there he said he borrowed the money of his brother, and his brother said he had not had a guinea in his possession; and then he made a confession of it, and Mr. Staples committed him.

Robert Tib, and *John Jordan*, confirmed this account by their depositions; and he being called upon to make his defence, he had no defence to make, nor witnesses to call. Guilty, death.

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15. *MARY MORGAN*, indicted for breaking open and entering the dwelling-house of Thomas Mazey, at Batterſea, and ſtealing thereout one ſilver watch, one pair of ſilver ſhoe-buckles, one pair of ſilver knee-buckles, one hat and wig, one ſtuff petticoat, 5 check'd aprons, and other things, the property of the ſaid Thomas Mazey.

Tho. Mazey. Saturday morning the 19th of October, as far as I can remember, I went to London with my wife, and left my houſe to the care of my man, Shacklin, who was then threſhing in the barn, and as I was going home about four in the afternoon, I met my man in a great hurry, who told me my houſe was broke open and my money and all I had was gone, and he ſaid it was done by a woman; I miſſed this hat, this wig, my ſhoe-buckles and knee-buckles, this watch, petticoats, gold rings and check'd aprons, and theſe things were found upon the priſoner; ſhe gave me ſeveral things out of her boſom, and told me if I would forgive her ſhe would give me every thing again; ſhe ſaid the devil prompted her to it.

John Shacklin. I am ſervant to Mr. Mazey, and that morning the houſe was robb'd I went in out of the barn to breakfaſt, and found that the plaiſtering of the wall was beaten down, and I went into the back room to ſee if there was any ſign of perſons coming in, and the boards were unnail'd and ſlipt aſunder, this was the brew houſe, and the plaiſtering broke down between the brew-houſe and the parlour, by which means a perſon might get into the parlour, and a man told me he had met this woman with a great pair of ſhoes, and a bundle with her, and I purſued after this woman and overtook her, and charged her with the fact; ſhe ſaid, if I would let her go ſhe would give me things again.

Thomas Rich, depoſed to the ſame effect.

Priſoner's defence. I came on the road and Sarah King overtook me and deſired me to go to the farmer's for ſome butter; I was never in this man's houſe in my life; the man told me there was no butter there, and while I was abſent ſhe went and put all theſe things on my back. Guilty, death.

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16 *JOHN CHAPMAN*, 17. *JACOB CHAPMAN*, indicted for feloniouſly taking and carrying away a two-gallon wooden bottle, one gallon of Geneva, one quart-bottle of rum, twenty three-halfpenny rolls, one blue ſurtout coat, out of a booth at Richmond New Park, the property of James Mitchel, of Richmond, aforeſaid, labourer. Guilty, ſingle felony.

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18. *JOHN MILLER*, indicted for ſtealing twenty yards of rope, called rigging, the property of Robert Burnett and Samuel Hollingſworth, at Horſleydown. Guilty.

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19 *THOMAS GREGORY*, indicted for ſtealing one brown gelding, from John Whiborn, of Weſt-Horſham, on the 24th of February, 1751. Guilty, death.

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20. *JOHN HAMILTON*, indicted for forging a receipt and acquittance, the 24th of June, in the name of John Tobin, of the parish of St. John, Southwark, and thereby defrauding Mr. Bonſwell, of eighteen pounds fourteen ſhillings.

Richard Wildy. I belong to the Kingſton, and know both John Hamilton and John Tobin, both belonged to that ſhip, and the priſoner at the bar always went by that name.

Priſoner. My name is Hamilton.

Redman. I am clerk in the Navy-office.

Here the navy books were examined, and it was found that John Hamilton *entered on board the* Kingſton *man of war, the firſt of* July, 1741, *and continued until the* 27*th of* Jan. 1743, *and that* John Tobin *entered the* 3*d of* Nov. 1741, *and continued on board until the* 20*th of* March, 1746-7, *when the ſhip was paid off, and on the* 26*th of* July *the wages due to* Tobin *was* 36*l.* 10*s.* 8*d. which was paid to* Jeremiah Bonſwell, *attorney to* Tobin.

Jacob Sams. I know the priſoner at the bar, he calls himſelf John Hamilton; I firſt ſaw

few hins about three years ago, when he was prisoner in the Marshalsea for debt, and Hamilton applied to me to get some money for him; when he sent to this Mr. Boulwell, he said his name was Tobin; I was surprized to find him use another name, but he said he used the name of Hamilton, because he had ran away from the ship, but that his real name was John Tobin, and I brought this Mr. Boulwell, who was to get this money for John Tobin.

Jer. Boulwell. The prisoner at the bar applied to me in the name of Tobin, to recover some money out of the Kingston; I went on that account, and received the money by a letter of attorney in Tobin's name, and paid him 18l. 14s. and took a receipt for the same, it was signed or marked with the figure of six, Kite wrote these words, *The mark of John Tobin.* Wintle and Kite were the witnesses to the receipt and acquittance, Kite being dead, Wintle deposed to the above effect, as likewise Mrs. Boulwell.

Prisoner's defence. I was bondsman, for Tobin's brother-in-law had paid several sums of money for him, and on this account Tobin gave me a warrant of attorney to receive this money; I have no witnesses to call to prove this. Guilty, death.

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21. *JOHN FOSTER*, indicted for stealing some copper-plates from on board a ship, the owner, William Tarver, on the 27th day of March. Guilty, felony.

22, 23, 24. *EDWARD SMITH, ROBERT STAMPER*, and *BENJAMIN MITCHELL*, indicted for assaulting John Lawson, Esq; and robbing him of his watch and money.

Robert Stamper, a second time indicted for robbing the said John Lawson, Esq; of eightpence.

Edward Smith, pleaded guilty.

Stamper and *Mitchell*, pleaded, not guilty.

John Lawson, Esq; My lord, on the 14th day of September last, I was walking with my wife and son between the Bowling-green-house and Wimbleton; I observed at a distance three men riding together, one of the men rode faster up towards me, who appeared to be Smith, and when he had advanced about twelve or fourteen yards, he drop'd a crape from his hat over his face, the first salute was to demand my money; I said, use me like a gentleman and the money you shall have; on that I put my hand into my fob and pull'd out 3 guineas and half and gave it to him; the next thing was to demand my watch, accordingly with some little difficulty I pulled it out of my pocket, it was a metal watch with an enamel'd dial-plate, a gold chain and seal with my arms engraved upon it; on this delivery he rode off. Then another person came up to me, this was the prisoner at the bar, Stamper, who asked me, what is the matter? I said, I am robbed, there is the man, pursue him; said he, you have something left, and that I will have. My lord, I had in one pocket a pretty deal of silver, in the other a six-pence and some half-pence, I delivered him the six pence and the half-pence. I observed while he was robbing me, another person at some distance, it might be sixteen or twenty yards, which person I believe to be the prisoner at the bar, Mitchell; but I must own I did not take a view of his face, but from his size I believe him to be the same person, and if I don't mistake, at the same time he had on a dark colour suit of cloaths or somewhat of a grey, and while Stamper was coming up to rob me, Smith turned off to a gentleman who lived at Wimbleton, who was then on horseback on the Green, and robbed him, he was one Mr. Francis Jackson; and after this Mr. Jackson came riding up to me, and at that period of time the whole three were riding by me about twelve or fifteen yards distant, and I believe the three persons to be Smith, Stamper and Mitchell. On Mr. Jackson's riding up to me, they rode within the distance of fourteen or fifteen yards and went away towards Roehampton. My lord, after this, I ran as fast as I could to the Bowling-green-house, and there gave an alarm, and every body was ready to give me all the assistance they could, and several persons went on the pursuit, and in a very little compass of time, I believe within an hour I had the pleasure to hear they were all taken. Stamper was taken in about twenty minutes after; on this I easily knew Stamper, and am positive as to him; as to Mitchell, I can't be positive as to him. I found on Smith the watch, chain and seal, which watch is now in the custody of Mr. Chambers, a gentleman of great honour in the commission of the peace; he took their examinations which is now returned in court. As to Stamper, I am very positive as to him; as to Mitchell, I am not positive as to his face, nor the colour of his horse, I think it was a bay horse, and to the best of my belief,

lief I believe his coat was a dark grey. It will appear by their confession that they all came out together.

Francis Jackson, Esq; My lord, on the 14th of September, after I was robbed by Smith on Wimbleton-common, I saw Mr. Lawson, and I said to him, won't you ride after them? While I was riding, two persons came up, and then Smith that had robbed me, called out, Let them alone, I have done with them, after which, the other two rode away; I think by their size and habit, they were both the prisoners now at the bar; they crossed over the road, and went as I thought towards Roehampton; I turned about my horse and went to the Bowling-green, and having made an alarm I went on to Roehampton; by the way a man came to me, and said, I am a less weight than you, I will pursue after and take that man on the grey horse, which was Stamper, which he did, and brought him up to the Bowling-green-house.

Charles Riley. I live at Putney, and on the 14th of September, as I was standing at my door, I heard the alarm of highwaymen, and immediately heard a noise of horses coming down the street, and saw two men riding down very hard; when they came down in the street I said, these are the men; they then parted, one took the right hand towards the bridge, the other turned off towards Barnes-Common; he that made towards the bridge was Mitchell, on a dark brown horse, I pursued and came up with him, and got him off his horse, and had him into the White Lion, where he was searched, and a pistol found in his pocket loaded with powder and ball.

William Blandford and *William Meadus* deposed to the same effect.

Thomas Shellcross. I met these men in Fulham-street before the robbery was committed, about 2 in the afternoon. Smith came first and bid the other to stop and drink, and they stopp'd at the George. I also on the common afterwards saw Mr. Lawson ride twice; I also saw them stop Mr. Jackson; I saw them likewise in custody, and they were the very same men.

William Cook deposed that he lives in May Fair, and has horses, that all these three hired horses of him some time in September, for an afternoon, and that they were going to Turnham-Green to meet some friends they expected in the Reading Stage, and that they would return at night. Their horses were proved to be the same horses they were upon when they were taken.

Z. Chambers, Esq; deposed that he took their examinations: that they confess'd the robbery, and that they appear'd to be very sober.

Prisoners Defence.

Stamper. As Mr Lawson has sworn the robbery, I will not take upon me to contradict what he has said, but submit to your lordship, and hope you will admit some evidence to shew how I behaved before.

Prisoner Mitchell. I don't know Mr. *Lawson*, and never saw him before I saw him at the justices.

Thomas Watson, *Jonathan Day*, *William Rogers*, *Mash*, *Nethersood*, and *William Dowell*, deposed, as to the prisoner *Mitchell*'s character, that they knew him: that his father had given him a good education, and taken him as a clerk under him: that he had been entrusted with large sums, and was never found faulty; that his business was very profitable, that he behaved well; that his family were persons of good reputation and fortune.

Richard Gay, *John Osborn*, *John May*, *Francis Fox*, *Robert Grant*, and —— *Brent* deposed as to the prisoner *Stamper*'s character, that they had well known him; that he had lived at Mr. Farrer's, a proctor in doctors-commons two years as clerk; that he behaved well; that they had entrusted him to receive sums of money, which he very faithfully delivered, and that they heard no thing amiss of him till this time.

Robert Stamper, Guilty Death.

Benjamin Mitchell, Guilty Death.

ROBERT VINCARD indicted for wilful and corrupt Perjury in his evidence against *Richard Osborn*, for the murder of *David Grant*, at the Assizes held at Kingston upon Thames, March 16, 1749.

John Brown produced the record of conviction of *Richard Osborn*, which he read.

examined on the 31st of March last, at the Clerk of assize's office.

Mr. Morse, I was solicitor for Richard Coleman, was on his trial, and saw Mr. Lingard sworn, and the words he swore to were the following. "On the 23d day of July I came out of my house the Horse and Groom at Newington between 11 and 12 at night, I then saw that man in an old blue grey coat (*he pointed to the prisoner then at the bar* Coleman) and a woman coming together from Kenington-Lane to Newington church, the prisoner said to the said woman come over to the Peacock, and I will treat you with a mug of beer; I heard the said woman say, where are those two men, on which the prisoner said don't mind them. I remember the night was moon-light and fair." These were the words of the oath.

Being cross-examined he said, he had many reasons for observing the evidence of Lingard; *that he did not take down the words in shorthand but that he saw the substance of them taken down by Mr.* Lawson, *and also he did so himself, and by often looking on those writings, and by his own memory he could recollect the words of the oath.*

John Brewster then deposed, that Lingard's oath at Coleman's trial was the same, and likewise repeated the words of the oath, as Mr. Morse had done.

The Court then proceeds to call Witnesses to prove that Lingard *the prisoner did not come out of his house the 23d of July between* 11 *and* 12 *o'clock at night.*

Francis de la Fontain. I knew the prisoner at the bar Mr. Lingard, and do remember the 23d of July 1748. and was that night at his house from 8 o'clock until three quarters after 11. I supped some fresh cod and my wife and daughter supped there with me and Mr. Portman at his house, and when supper was ready Mrs Lingard supped with us, but Mr. Lingard having been drinking over night desired to go to bed, which was about half an hour after nine, he called the maid, who brought a candle; he then quitted the room and retired to rest that night.

Q. Was it a moonshining night or a rainy dark night?

A. To the best of my saying there was, that about 12 o'clock as we were going from the house it began to sprinkle, and we stay'd above an hour, for it rain'd hard.

Being cross-examined whether there was any company in the house, he said, No, nor no ringing of bells or calling, by which he could think there was any company in the house.

Q. By what particulars do you remember this to be the 23d of July?

A. A person came on the Sunday morning and brought me the news of this unfortunate circumstance, and the Monday afternoon my wife said to me, now my evening's work is done we will go and take a final leave of walking in the evening, for we did often take a walk to Mr. Lingard's. Accordingly we went, and we enter'd into conversation on the murder of Sarah Green, and Mr. Lingard said it was a vile villanous part, and if it was my father, brother, or child that had been guilty of such a fact, he should be hung up by the privy parts and starved to death; but he never pretended to say who did the affair.

Sarah de la Fountain deposed the beforementioned particulars, as also that about half an hour after nine when Mr. Lingard said that he wanted to go to bed the maid lighted the candle, and she saw Mr. Lingard take the candle and go up stairs—and afterwards she heard Mrs Lingard ask the maid, Is your master gone to bed, and she said, yes madam—That it was a dark, rainy and a misty night, and Mrs Lingard lent her her cloak.

Andrew Portman. I was at Mr Lingard's house the 23d of July with Mr de la Fontain, and Mr Lingard went out of our company when we were to supper, I saw no more of him, but I heard Mrs Lingard tell Mrs de la Fontain that he was gone to bed. It was a dark and rainy night. It was so dark that it would be impossible to distinguish any body the other side of the way, if I had held out a stick before me I think I could not have seen it.

Richard Sibley. I live at the sign of the Prince and Princess in Gravel-lane, Southwark, and Richard Coleman was with his master Mr. Berry, at my house on the 23d of July 1748. they came there between 7 and 8 o'clock, and stay'd there about two hours, till near 10. I light them out of the bridge, and wish'd them a good night and they went home.

Joyce

Joyce Sherman. Richard Coleman came to my house on the 23d of July 1748. I keep the brown Bear in the Park, Southwark, he came about 10 o'clock and supp'd there with his wife (my daughter) who was there before him, they stay'd until two o'clock, and then he and his wife went home to bed; I was in company with them all the time, it was a very dark rainey night, Mrs. Dandy was with them, she had been at my house for three days.

Sarah Dandy deposed to the same effect.

Mary Tilt (who was Coleman's widow) deposed likewise the same, being asked how she was positive as to the 23d of July, she said, that the next day her mother went out which was the Sunday, and was so particular as to look to the Almanack, and she said to me, I will leave the house to Dick and you; I looked into the almanack, and Sunday was the 24th day of the month, and consequently Saturday must be the 23d, besides, my father died the 24th of June, and it was just a month before.

Thomas Tyler deposed, that he was watching his gardens that night Sarah Green was so basely used, that it was a dark rainy night, and that he thought a man could not see across the way.

Arthur Dunaldy. Sometime after Coleman was committed, I went to the New Gaol to see him, in my return Mr. Jones and Mr. Lingard were together in the lodge, and some other persons, and Mr. Jones desired me to walk in; after some little time Mr. Jones was called out, and Mr. Lingard said to me, pray sit down, he directed his discourse to me, and said, what do you think of this Coleman, I said, I did really think he was innocent, for I thought him incapable of committing such an action; he replied, I really know nothing of it, but what the world says.

Mr. *Allen* Coroner. I was on the inquest on the death of Sarah Green, which lasted several days, and to the best of my knowledge he was not with me either of those days as an evidence.

John Knapp, Esq; Mr. Lingard after the assizes (when Coleman was convicted) came to my chambers, and applied to me for a certificate, I told him, there was no certificate in which I was to grant a reward, and that he must have a certificate to intitle him to that reward, he desired he might leave his name if any other body came, and that one of my clerks would write to him; but he never had any certificate from me, but there was one Randall applied to me for the certificate and had it, whether Lingard had any of the reward, I know not.

Evidences examined for the defendant Lingard.

Elizabeth Christian. I heard of the ill usage of Sarah Green, it was on the 23d of July, Saturday night, and had occasion that night to borrow Mr. Lingard's salting pan, was at his house about ten o'clock, saw Mr. Lingard talking to a man in the tap room, and he was as sober as I am this instant; the reason why I remember it to be this night was, the Wednesday following I went to my place, which was the 26th of July.

Mary Holland I know Mr. Lingard's house, the Horse and Groom at Newington, and was there the Saturday night the woman received the ill usage, I was there from half an hour after seven, until half an hour after eleven, with a kinsman of my husband's, and was to meet my husband; we had four pints of beer, and some bread and cheese, and saw Mr. Lingard himself at half an hour after eleven, when I paid him; it was the 23d of July, in the year 48. I remember this was the 23d, because when my husband came home at three o'clock, he was angry with me, and my good gentleman cut me in the arm, and I have reason to remember it.

Edward Dorsley. I was quarter'd at Mr. Lingard's, and was there the night the woman was ill used, I sat up till between 12 and one, and my master and mistress sat up likewise, my master was as sober as I am now, and was not gone to bed; it was on the 23d of July, on a Saturday, but it can't tell what year it was in, for I am no scholar; I remember it was that night, because I came off guard that night, and dropp'd my watch that day.

Hannah James. I was at Mr. Lingard's house on the 23d of July in 48, his servant went away the 6th of July, and he hired me

to

to do the work of the houſe on the 23d, when I went home, it being almoſt twelve o'clock, Mr. Lingard was then there ſmoke-ing his pipe at the horſe trough.

Q. How do you know it was the 6th of July you came there to live?

A. Becauſe I had a nurſe child died that day, and when I had laid it out, I went to do ſervice for Mr. Lingard, and on the 23d of July my maſter was up to receive his money of the brickmakers; there was no ſupper dreſs'd there that night for any com-pany, it was a moonſhine night, but it rained.

Evidences to *Lingard*'s character.

Robert Skinner. I have known Mr. Lin-gard three or four years, always a civil neighbour to me, and never heard to the contrary but he was an honeſt man. Being croſs-examined what his profeſſion had been, it was owned, he had been a cryer in the Bailiff's Court in the Marſhalſea.

Mr. *Colby.* I have known Mr. Lingard a-bout ſix or ſeven years, he behaved very well to me, I was a diſtiller at Newington, bought goods of me and paid me honeſtly for them, never heard he had a bad cha-racter till this affair happened.

James Biſhop. I have known him a dozen or fourteen years, ſerv'd him with drink, and he always paid me well.

James Ward. I have known him almoſt two years, never know any thing bad of him until this affair.

Guilty.

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26. *MARY WORSLEY.* Indicted for ſtealing a ſilver tankard, from Sarah Rhodes, at the Greyhound at Richmond. Guilty, value 39s.

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27. *WILLIAM PEACOCK*, in-dicted for ſtealing one weather ſheep from Thomas Henn, at Thames Ditton.

Thomas Henn. On the 25th of March a man hedging found a ſheep ſkin, I look'd on the mark, found it to be mine; I thereupon got a warrant and went to the poor-houſe at Thames Ditton, and found two legs and part of a ſhoulder of mutton, and the priſoner on his being taken up, ſaid he bought the mutton at Eſher.

John Dean. I went to the pariſh-houſe at Thames Ditton, and ſaw mutton hanging up againſt the wall, the priſoner did not ſay any thing to me when I took him, but be-fore the juſtice he confeſſed he killed it the Monday night before.

Priſoner's defence. I was going along, and ſaw the ſheep was not very well, I thought it was worth ſomething, and ſo I killed it.

Guilty Death.

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28. *JOSEPH SPARROW*, in-dicted, for that he on the 11th of March, 1752. did felonioufly ſteal and carry away 5 hemp-ſacks, 1 buſhel of barley, and 16 buſhels of oats, the property of Mr. John Poet of St. Saviour Southwark.

Guilty ſingle felony.

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29. *JOHN RICH*, indicted for fe-lonioufly taking out of the box of William Cooper, one ſix and thirty ſhilling piece, one guinea, two half guineas, and a four ſhilling and ſix-penny piece in gold, and ſome ſilver, from William Cooper, and two ſhirts from Jeremiah Scot, at the King's-head in the Borough. Guilty 4l. 10d. value.

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30. *ALEXANDER M'KEY* of *Camber-well*, indicted for counterfeiting the current money of this kingdom called ſhillings.

Joſeph Wiſe. I ſaw this man make the money, I am a brickmaker, and this man worked under me; as I was going to work, I was ſaying, this is a very cold morning Alexander, I wiſh we had a dram, if we had but money; money ſaid he, I have money

 enough,

enough, with that he pulled out the value of a dozen ſhillings, which *I* thought had been current coin of this kingdom; *I* ſaid, where do you get this money, ſaid he, I make it, *I* ſaid how do you make it, he ſaid with a mould, and pulled out the mould in ſize of a little ſnuff-box; about the 30th of July, it was very bad weather in that week, *I* deſired him to go and take care of the bricks, but fearing leſt he ſhould neglect it, *I* went myſelf and found the bricks covered, and ſaw him very buſy under a bank by a fire, and William Nelſon with him, who is ſince run away; Nelſon was cooking bacon and green horſe beans, and Alexander M'Key was coining money, *I* went quietly round the houſe, and in the Ditch *I* had a full view of what they were about, *I* ſaw him melt the metal in an old earthen pot, and then put it into the mould, and by the light of the fire, *I* could ſee the head very plain; the mould was iron, and did open and ſhut in the manner of a ſnuff box, and the head reſembled king William's head on his ſhillings.

One of the pieces were produced in court, and a little file with which he trimmed the edges.

Edward Gray. *I* was drinking a pot of beer with the priſoner at the bar the latter end of July, and as we were talking about money, he put his hand into his pocket, and threw down this ſhilling into my hand, and ſaid, *I* might keep it, which *I* have kept ever ſince; *and this was the ſhilling produced in Court.*

Priſoner's Defence. *I* have no body to call on my behalf, Guilty, *Death.*

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31. *AMEY LEEDUM*, indicted for the wilful murder of Mary Leedum, at Richmond.

As ſhe was brought to the bar to be arraign'd, ſhe diſcover'd ſuch plain ſigns of lunacy, that ſhe was ordered back again, as not fit to be tried.

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32. *ELIZABETH PARNEL*, indicted for burglariouſly entering the dwelling houſe of John Cox at Lambeth in Surry, on the 14th of February, and feloniouſly ſtealing thereout, one pair of linen ſheets, a pair of ſciſſars, one black petticoat, one linen apron, ſix cups, ſix ſaucers, and divers other things, the property of the ſaid John Cox.

On the conſideration of her age, not being ſixteen, and that ſhe did it by the aſſiſtance of accomplices, the Jury gave their Verdict, guilty, 4 l. 10 d. value.

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33. *JOHN MURRAY*, indicted for driving a cart in the pariſh of St. Mary Magdalen, againſt a weak old woman, named Mary Laxcomb, of which hurt and bruiſes ſhe died.

James Shadwell. *I* live at the corner of Thames Street, near St. Mary Magdalen's Church, and Saturday the 7th of September, John Murray was coming with his cart, with two horſes, loaded, out of lower Thames Street, *I* ſaw an ancient woman coming croſs the way, and the cart coming by, and *I* thought ſhe could not get clear before the cart came to her; there was another to aſſiſt her, but ſhe was ſo feeble as not to be able to get out of the way. *I* called to the carman, and deſired him to ſtop, but he made me no anſwer, but drove on; then the fore horſe beat againſt the woman's ſhoulder, and ſhoved her inſtantly down, and the off fore foot trod directly on the woman's ſkull, and the corking of the horſe-ſhoe came into her eye, and there was a great concuſſion of blood, and the off hind foot came on her breaſt, and made a deep impreſſion; he was indeed leading the tilt-horſe, according to his duty; the number of his cart was 250, by which enquiry we found him out. Had he ſtopp'd the cart the accident would have been prevented. The woman was carried to St. Thomas's Hoſpital, where ſhe languiſh'd ſome days, and then died.

John James. This perſon was brought to St. Thomas's Hoſpital, when *I* ſaw her the next day, *I* found ſhe had a cut over her right eye, a ſlight hurt on her wriſt, a violent hurt on her left breaſt, which was, *I* think, the occaſion of her death. She died about the latter end of September. It was our opinion, that her ribs were broke, or divided from her breaſt,

breast bone, that her lungs were injur'd, and of that she complain'd until she died.

Prisoner's defence.

This woman I did not see before she was down. I was leading the horse on the near side, and she was on the off side, I stopp'd my cart as soon as I saw her down, and went about my business; they never offer'd to take me up until three weeks and three days after that the woman was deceased.

John Poet, Charles Coleman, Mrs. Landen, John Ovington, deposed, that they had known him several years to be a careful inoffensive man, and that he would not wilfully have done any such thing; that he was always a very careful man in driving his cart, and had an exceeding good character. Acquitted.

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34. *PETER LOSEBY*, indicted for stealing a considerable quantity of brimstone from Mr. Speck's wharf, at Horsleydown.

Guilty. Value 39*s.*

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35. *WILLIAM GALER*, indicted for assaulting David Unwin in St. George's fields the 3d of November, and robbing him of a hat one linnen handkerchief, and six shillings in money. Acquitted.

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36. *WILLIAM BULLOCK*, indicted for assaulting Jane Shelly on the king's highway, at Smitham bottom, and robbing her of two pence in money, on the 25th of last March.

Jane Shelly. As I was going from Streatham to Ryegate in James Baker's waggon; and between 4 and 5 o'clock in the afternoon, a man came up to the waggon and bid the boy stop; he asked for my money; I told him had none but a few halfpence, and if he would have them he should be welcome; he said, he had a wife and family at home in distress, or he should not have made that attempt; I gave him some halfpence I had in my pocket; it might be two pence or two pence half-penny; I can't say which; then he asked my fellow servant for her money; and she said she had none; he stood with his hat in his right hand, and a pistol in his left; and he turned his hat up-side down, and the money fell on the ground. I can't say the prisoner at the bar was the man.

John Baker, driver of the waggon, deposed much the same; but could not swear to the man.

Prisoner's Defence.

I had been to see my brother at Rygate; and when I was coming back, at Croydon I heard an outcry; and they knocked me off my horse.

Witnesses for the prisoner.

Alexander Tudor, Evidence for the prisoner.

The young fellow was an apprentice and servant to me; he was as good a servant as a man could have; I am a peruke-maker, and would not scruple to take him into my house to-morrow.

Tho. Payne. I have known the prisoner these eight years; he was always a sober industrious man; every body he was concern'd with loved him; he has for some time been settled in a little shop in Hungerford market; I should have been always glad to have done him service; if he had been straitned for money, I would have lent him, nay would have given him a guinea or two, or five to have done him service. Acquitted.

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